

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

**HUGHES:** Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the sixty-second day of the One Hundred Seventh Legislature, First Session. Our chaplain for today is Senator Lowe. Please rise.

**LOWE:** Please attain an attitude of prayer. Prince of Peace, today we ask for your oversight on each one of us in the Nebraska Legislature as we make laws that govern our people, our land, and delegate our state's resources. Grant us wisdom to allocate our taxpayers' resources wisely. Please rise up your people who will make laws to protect our freedoms so that we can live peacefully quiet lives in godliness and dignity. In your name, amen.

**HUGHES:** Thank you, Senator Lowe. I recognize Senator McDonnell for the Pledge of Allegiance.

**MCDONNELL:** Could everyone please rise and join me in the Pledge of Allegiance? I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

**HUGHES:** Thank you, Senator McDonnell. I call to order the sixty-second day of the One Hundred Seventh Legislature, First Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

**ASSISTANT CLERK:** There is a quorum present, Mr. President.

**HUGHES:** Thank you, Mr. Clerk. Are there any corrections to the Journal?

**ASSISTANT CLERK:** No corrections this morning.

**HUGHES:** Thank you. Are there any messages, reports, or announcements?

**ASSISTANT CLERK:** There are, Mr. President. Various agency reports have been filed electronically and are available through the Legislature's Web site. I have a report of registered lobbyists for the current week, an amendment from Senator Kolterman to LB17 to be printed. That's all I have at this time.

**HUGHES:** Thank you, Mr. Clerk. Colleagues, Senator Dorn would like to recognize Dr. Marlon Weiss of Lincoln, who is serving as the family physician of the day on behalf of the Nebraska Academy of Family Physicians. Dr. Weiss, if you would please rise and be welcomed by your Nebraska Legislature. Speaker Hilgers for an announcement.

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Floor Debate April 15, 2021

**HILGERS:** Thank you, Mr. President. Good morning, colleagues. I have two updates here this morning. The first will be my typical update of what the schedule will look like next week and in the weeks to come. And then I'll have another update here to follow and I'll just do both those in order, if you have a second here this morning. So first, for next week. So as I mentioned yesterday, Final Reading on the budget will be on Tuesday, next Tuesday after we come back from our four-day weekend. I will have a consent calendar. That is-- that is posted now. So that will be, we will have consent on Tuesday, we'll have Final Reading on Tuesday. I will-- for consent, I'm not accepting any more letter requests. Well, I will have at least two. Right now. I just am tentatively scheduling for two more consent calendars. Depending on our progress with the other bills, priority bills, I may have time, and depending on the requests that as we go through them all, I may have time for a third. But right now just count on two-- two remaining consent calendar rounds. So that-- that will be on Tuesday as well. For next week, as I told you, instead of doing the tax and spending bills, we're going to-- we're actually going to start that the 26th, next Monday or the week-- excuse me-- a week from Monday. So for next week, in addition to the bills I've already announced, I want to give the body notice of the bills that we will be putting on to General File or I anticipate putting on to General File next week. As always, these are in numerical order. That's not the order in which they'll be heard. And I do have a couple of comments on scheduling here to follow. So first will be LB2, Senator Briese's bill regarding changing the valuation of ag land for certain school district taxes. LB39, Senator Lindstrom's bill changing the Sports Arena Facility Financing Assistance Act. LB51, Senator Lathrop's bill relating to changes-- to changes regarding qualifications and duties of law enforcement officers. LB147, Senator Kolters-- Kolterman's bill relating to changes to the retirement system for Class V school districts. LB408, which is Senator Briese's bill, which relates to the Property Tax Request Act. And LB485, Senator DeBoer's bill, relating to provisions in regard to childcare assistance. Now scheduling-wise, LB408, I intend to have Thursday morning. So Thursday will be a full day. We'll start the debate on Thursday with LB408. LB147, which I just mentioned, is a Christmas tree, so sort of keeping with my prior practice, I will keep that for the end of the week. So next week I anticipate, if we get through the Christmas trees today, then next week the Christmas tree bills we'll have at the end of the week on Friday will be LB131 and LB147. So the other bills I referenced as-- along with some Select File bills, will be between Monday and Wednesday, depending on our progress. Then the next week, I'll have a-- I anticipate having mid-next week some update for you all as to the order of the various tax and spending bills. We're still working

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on that right now. One big picture-- I'm sorry, one other scheduling note for next Friday. Senator Halloran has filed a pull motion. He filed that a couple weeks ago and I will be scheduling that debate next Friday morning. So the pull motion on LR14, his priority bill, will be scheduled next Friday. One big-picture scheduling for the next three weeks. This is-- we're getting-- we are in, frankly, the heart of our session. So the next three weeks, I anticipate a pretty big push. So I've-- I've previously communicated to the body the late nights, where I try to go to 7:00-- 6:30, 7:00, 7:30-- as well as my intent to keep the last day of the week at half days, that will be my intent going forward. But I want to get give everyone a heads-up going forward, going into the next few weeks, that I do reserve the right, depending on our progress and what we're doing, to go past 7:00, to go later in the evening, as well as having a normal full workday for our last day of the week. So Thursday at the end of the week, on a long week, on a Friday, we'll have a lunch break and then go till 5:00 or 5:30. So I-- I-- I hope we don't-- we don't do that, but I want to make sure we get our work accomplished. And so I am reserving, and I want to give everyone a heads-up. And I'll try, as we get close to those dates, to give you a better-- better sense of whether that actually will happen or not. But you probably-- probably will be able to tell based on our-- on our-- our progress on-- on each day. So that's all on my first update. OK? Making sure. My second update is not related to scheduling. I want to give this update to the body here this morning. Since last week when the LR29 Committee was formed, there have been a number of conversations about how to maximize the effectiveness of the committee's work within the limited time that we have. Those-- those conversations have included a number of productive talks with stakeholders and senators, including Senator-- Senator Machaela Cavanaugh, Senator Wayne, and Senator Arch and myself. I truly appreciate those senators and their candid engagement on these issues. One theme from these discussions is urgency. We know that for the work that we're trying to accomplish with this committee, time really does matter. The LR29 Special Committee was designed to bring expertise from different members in the body and it was designed to be effective in its work, including the hiring of outside counsel. But it was not designed for a quick start. And in fact, the history of these kinds of committees is that they don't get going in earnest until after session. As Speaker, I don't want to lose critical time in the exercise of our constitutional responsibilities. That is why I have asked Senator Arch, as Chair of the Health and Human Services Committee, to jump-start the process with the tools that are already at this body's disposal. Specifically, I have asked Senator Arch, as Chair, to begin the investigation immediately through the HHS Committee, utilizing the committee and its members' institutional

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Floor Debate April 15, 2021

knowledge, legal counsel, and corpus of stored information to get up and moving right away. In a minute, I will yield my time to Senator Arch and he will explain in a little bit more detail why the HHS Committee is uniquely situated to jump-start this process. To make the jump-start effective in support of the LR29 Committee's work, I have asked Chairman Arch to invite members of the LR29 Committee into this process. Senator Wayne and Senator Kolterman, both of that committee and with important subject-matter expertise outside of the HHS committee, have agreed to participate. In addition, I have asked Chairman Arch to immediately begin the search for outside counsel and to hire that counsel as part of this early process. I have asked Senator Hughes, as Chair of the Executive Board, who previously agreed to hire outside counsel as part of the LR29 process, to approve the hiring of outside counsel as part of this jump-start. He has agreed. As we get through session, the LR29 Committee, which was specifically authorized by this body to fulfill the responsibilities given to it by the Legislature, will link up with the work of the HHS Committee and its outside counsel. This jump-start approach will take advantage of the talents, experience, and knowledge of the committee of jurisdiction to craft a work plan, hire counsel, organize its approach during session, and to hold public hearings to gather information and ask questions and, if necessary, exercise its subpoena power. It will acknowledge the historical difficulty of getting special committees off the ground during session, and in this way it will provide a critical boost to the work of the LR29 Committee. It will save time and be more effective. Given the conversations in the body the last week, I thought it was important to give you this update on the floor this morning. I have full confidence in the HHS Committee and the LR29 Committee to expeditiously conduct this investigation to execute our constitutional responsibilities, as directed by this body, on this critical issue. I will now, if-- yield my time to Senator Arch for his comments. Thank you, Mr.--

**HUGHES:** Thank you, Speaker Hilgers. Senator Arch, you are recognized.

**ARCH:** Thank you, Speaker Hilgers. Colleagues, as you heard from the Speaker, there is a serious sense of urgency and a commitment by everyone to expedite the process of oversight regarding the eastern service area child welfare case management and the relationship with Saint Francis Ministries. We appreciate the Legislature's patience with us as we work through determining and implementing the best course of action. There definitely is urgency to the moment. There are-- there are currently corrective action plans in place for Saint Francis due to specific deficiencies in performance. While the situation has stabilized, there are still serious issues at Saint

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Floor Debate April 15, 2021

Francis and the department continue to address. Given the urgency of this issue, much discussion has occurred over this past week regarding the process of this investigation and how best to use an interface to the standing HHS Committee and the new investigative committee formed by LR29. Given the seriousness of the matter before us and the potential risk and benefit to the children and families who are receiving services, we want to marshal our resources most effectively. That being said, I am concerned about the delay that could occur between now and the beginning of the interim, when the LR29 Committee would begin its work in earnest. The time commitment required of all members to the matters before our multiple standing committees and the issues debated on the floor leaves little time to delve into the Saint Francis issues, for most members. I believe that the solution to that problem lies with the use of the HHS Committee. Some of you are not aware of the long history of the committee and the matter of privatization of child welfare in the state. This committee is well versed in the issues we are facing and the history of privatization. All of this was done by the HHS Committee of the Legislature. And let me just point out some of the highlights. In 2011, LR37. Senator Kathy Campbell was Chair of the HH Committee at that time. An extensive study was done when the-- when privatization was launched and that was conducted by the committee. As a matter of fact, in 2019, we asked Senator Campbell to come in and brief us on LR37, bring us up to date of the history of that, as well as then we discussed the current situation at that time. 2012, LB1160. The evaluation of outcomes was conducted by an outside consulting firm, Hornby Zeller. 2012-2014, LR37 required follow-up reports in all three years. 2014, LB660-- another Hornby Zeller study-- should privatization continue? 2020, LR410. We did a committee interim study and January 15 of this year, we had a briefing by the department on the eastern service area. So this committee is up to speed, well versed on all the content. With all the history of this issue before the HHS Committee, we want to best utilize that resource. One of the significant advantages is the fact the committee is up to speed, best equipped to accelerate the process without the necessary ramp-up time required by members who are beginning to understand the issues. So I intend to use the HHS Committee to accelerate the process. This is not in lieu of the special committee, but to enhance the work of that committee during the interim. However, we also believe that we could benefit from a couple of additional ex officio members Senator Hilgers mentioned. So we've asked Senators Kolterman and Wayne to join our committee, ex officio, from the very beginning. They both agreed. Once we get past the session, we'll link up with the LR Committee and we'll be ahead of the game. Much of the legwork will have been performed, which will accelerate the process. One of the obvious advantages, as well, is

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Floor Debate April 15, 2021

that the HHS Committee has two legislative staff, two attorneys who will also be available to work on this matter. In addition, the HHS Committee introduced LB570 this year, which requires the completion of a study to determine whether or not to continue privatization in the state going forward. We are the committee to consider these matters. The committee's direct involvement in this early work will greatly facilitate that decision as well. So you're going to see the committee become very active in the next couple of weeks and we wanted to brief you on that activity. Again, we-- this-- we have an acute sense of urgency with our current situation, want to accelerate the process. We believe this is the best course to accomplish that goal. Thank you for your support on this matter and your patience. And we will keep the Legislature periodically informed as we proceed. Thank you.

**HUGHES:** Thank you, Senator Arch. Senator Machaela Cavanaugh, you are recognized.

**M. CAVANAUGH:** Thank you, Mr. President. Good morning, colleagues. Thank you, Speaker Hilgers and Chairman Arch for this announcement. I am very appreciative of your acknowledgment and a swift action on the crucial nature of this endeavor and that it is extremely time sensitive. I also am appreciative of Senators Wayne and Kolterman's willingness to serve in multiple capacities in this investigation. And also, I am grateful to the HHS Committee for taking on this work. I know that they've already done so much of this work with me and I look forward to continuing that work with my colleagues on the committee. Thank you.

**HUGHES:** Thank you, Senator Cavanaugh. Senator Wayne, you are recognized.

**WAYNE:** Thank you, Mr. President and colleagues. When I got appointed to this committee, we immediately started having conversations. But I want to talk to you about the urgency piece and ownership. I think what's kind of been lost-- I'll talk a little bit about the urgency. Many of you know I came down here a couple of times these last two weeks late, and I'm going to give you a real life example of why this urgency is so important. As I walk into the 6th floor in Douglas County, you go to the left, you go to the preliminary hearings, you go to the right, it's juvenile court. From the time I got off the elevator, the last four times I went in the last three weeks, three attorneys have stopped me and said that we have to start something today. The reason is, is that there are now kids being removed as Saint Francis is being removed as case managers, in some instances, by judges. What that means in the eastern service district is the state has to take over those services. But for the last ten years, the state

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

has no contracts with people in those areas for those services because we either had PromiseShip or Saint Francis. So they are struggling with figuring out how to service these kids in the eastern service districts. And so out of the four times that I went to court in the last two weeks, I was approached by three different counsels on this sense of urgency. So I want to thank Speaker Hilgers and Chairman-- and-- and Chairman Arch and Senator Machaela Cavanaugh for bringing this sense of urgency up because it's real life and it happens now. The last piece I want to talk about why this is important for this jump-start is ownership. I was fortunate enough in my first couple of years to serve with many of you all on two different committees or special task force. One was the Economic Task Force and one was the Prison Oversight. What I've learned from that process is nobody has ownership and part of the problem is term limits. When people leave those special committees, who owns that process and who owns those outcomes? People who sat on the prison committee, we know that report, while it came out, had a lot of good information, but it often just collects dust in one of the rooms. And I say one of the rooms because no committee actually owns that process and owns those outcomes. By putting this in HHS to jump-start it, we create ownership that we know where to find it, we know how to look for answers, and we know where the information is. So I really appreciate jump-starting this and starting to work the plan, getting the information and starting the investigation in a committee so we-- and not just we, the public-- know who owns this process. As we go to the LR later on down the road to help work it, we at least know where the data is. And even if you go-- just to give you guys an example-- if you go to the Prison Oversight Committee or the Task Force Committee and you go to our Web site, it takes you a while to even find those reports because there's no ownership by the committee because there is no committee. So those are the two reasons why I am appreciative of getting this moving. And I'm appreciative of Senator Arch of stepping on the gas pedal and getting this investigation going because we'll have ownership and we'll answer the people who, when I walk in the courtroom, saying we need it now. So thank you, Speaker Hilgers, and thank you, Chairman Arch, and thank you. Senator McCav-- Cavanaugh. Thank you.

**HUGHES:** Thank you, Senator Wayne. Mr. Clerk, we'll now proceed to the first item on the agenda.

**ASSISTANT CLERK:** Mr.-- excuse me-- Mr. President, Select File. Senator McKinney, I have nothing on LB527A.

**HUGHES:** Senator McKinney for a motion.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

**McKINNEY:** Mr. President, I move that LB527A be advanced to E&R for engrossing.

**HUGHES:** Colleagues, you've all heard the motion. All those in favor say aye. All opposed say nay. Next item. Motion carried.

**ASSISTANT CLERK:** With respect to LB664A, I have no E&R amendments. Senator Matt Hansen would move to amend.

**HUGHES:** Senator Hansen, you're recognized to open on FA26.

**M. HANSEN:** Thank you, Mr. President, and good morning, colleagues. I won't spend much time explaining the amendment. It raises the dollar amount in Senator Groene's bill by a single dollar. What I needed was an opportunity to speak for potentially more than five minutes because I think Senator Groene's actions yesterday were unbecoming of this body and they need some more time for some more reflection. I'm appreciative that Senator Groene has been called out in the media and by another-- a number of others, and a number of other senators on the floor for criticizing the University of Nebraska. I want to remind everyone that his criticism of the University of Nebraska was not an idle passing comment against the university. It was an attack on me and Senator Morfeld because he criticized us as not knowing the Constitution. And we both indicated we were attorneys. And then he responded with that. It was not a humorous pass at the university. It was not a buddy talking to another buddy about class rankings. It was an attack on the credibility of a couple members of this body. And while I'm appreciative that a number of senators on this floor stood up and defended the university, I want to remind you that was an attack on another senator. And sure, debate can get tough, debate can get rough. That's fine. I can handle it. I'm standing up today advocating for myself. I stood up yesterday advocating for myself. But that is just the high-profile incident of a series of disrespectful and "unsenator," unprofessional behavior by Senator Groene that this body is going to have to address at some point. We are going to force this issue at some point and I need to see this body show their backbone and let me know that this type of bullying and, frankly, racist behavior will not stand in this body. And I bring this up because the kind of-- the funny video of him going viral, talking about the university, as a lot of people are taking it, covered up the fact that Senator Groene used multiple slurs on the floor of the body yesterday in the midst of debate. And only one senator stood up yesterday. And I apologize that I was not one of those senators. I actually didn't hear it live. I didn't hear it live and I went out and found the video and watched it to make sure I know what I'm talking about. Senator Groene, among other things, used the term Mongol to

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

describe-- which is a slur against people with Down syndrome that has ties to anti-Asian racism. And he used that on the floor of this body just casually, as if it was not what I just described it as. He used another slur as well. We as a body have to decide what our limits are and what boundaries we can have on this body and what behavior we find acceptable or unacceptable. I've been stewing on this and the reason I decided to speak is not because there was an attack on me yesterday. It's because I went to a rally at the Capitol last Saturday. For those of you who weren't aware or didn't know, there was a protest against anti-Asian violence at the Capitol and a rally in support this past weekend. And one of the things that was said at that rally that there were multiple signs, that multiple people talked about, is that racism is a virus. And in that standard, I do believe that we have to stand up-- one, racist behavior is on the floor of this body-- and make sure that we as a body reaffirm that it is unacceptable and not becoming of the floor. So with that, I see some other senators. I hope some other senators are in the queue. I don't necessarily have a plan for where I'm going this morning. I would hope maybe Senator Groene has the opportunity to offer an apology and maybe we could move on; maybe not. But with that, thank you for the time this morning in the body. I think it's an obligation that we, as leaders in our state, make it clear what kind of behavior we do and do not want to enable because we are, you know, televised. We are watched by the members of our community. And some of this behavior is being noticed and is being seen as a stain upon our state. Thank you, Mr. President.

**HUGHES:** Thank you, Senator Matt Hansen. Senator Slama, you are recognized.

**SLAMA:** Thank you-- oh, thank you, Chair-- Mr. President. And good morning, colleagues. I rise today. I didn't expect to get on the mike today, but in hearing Senator Matt Hansen's comments, I felt obligated to turn on my mike and perhaps give a little bit of history for this body, for the new members in this biennium, because I think it gives some important context. And I respect Senator Hansen and I understand his anger and his feelings about what was said on the mike yesterday. However, I disagree with his stand that somehow this type of conduct crossed any types of lines that we've set in this building, in terms of conduct on the floor. Now to speak in defense of Senator Groene, when Senator Chambers was on the mike in the last biennium talking about raping me on the floor of the Legislature-- yes, he had talked about raping me on the floor of the Legislature-- Senator Groene was one of the very few members of this body to get up and stand up for me. So yes, Senator Groene's comments did raise some concerns. I pushed back on those on the mike. Senator Groene's comments do not

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Floor Debate April 15, 2021

exceed the lines we've drawn in this body in terms of conduct, and he has shown himself to be, although he had some extemporaneous moments on the mike that are inappropriate, he's shown himself to be a great member of this body. And when no one else stood up for me, when we were playing this game of where do we draw the line, we had another senator talking about raping me on the floor of the Legislature. And Senator Groene was the one who was there for me. He was the one who stood up and said, we shouldn't talk about that on this floor. We shouldn't insinuate that Senator Slama somehow did anything but be a well-qualified candidate to get into her position. He was the one who was there. He was the one who stood up for me, who stood up for the integrity of this body. And if this is how we're going to approach today's discussion, I'm game and will get up on the mike as much as it takes to defend him. And again, I do think his quest-- his comments on the mic yesterday were a bit concerning. But in the grand scheme of things, and in what has historically been said on the mike in this body without recourse for other members of this body, it was very tame. So thank you, Mr. President.

**HUGHES:** Thank you, Senator Slama. Senator Groene, you are recognized.

**GROENE:** Thank you, Mr. President. I am amazed. Senator Hansen fought-- fought against censorship in LB88 and now he wants to censor me. I made a statement, a very "complementable" statement-- see I just mispronounced my diction a little bit there, Senator Hansen. Is that OK? That's part of my culture of growing up in the hills where I read more books than you probably ever seen. But the problem was, when I read them to the cows, they didn't correct my diction. But my vocabulary is well versed. I complimented Senator Flood because of his initiative after he was denied writing something in his school paper. It drove him to become a media Mongol-- mogul. I mispronounced it Mongol. Yes. And let me tell you what the definition of Mongol is from my vocabulary and the dictionary: a native or inhabitant of Mongolia. I did not find your definition in the dictionary of a Mongol. So what kind of slang did you grow up with? I never even thought of that. And then Senator Flood came to me gentlemanly and we discussed it and he laughed. I said-- he said I understand what you said. Some came up to me and thought I said mongrel, some thought I said Mongol, some thought I said mogul. And I made a humorous statement on the floor. And let me tell you where I come from, growing up in the Bohemian Alps, with the Irish and the Germans and Bohemians and the Polish intermingled and became a mixing pot, we laughed that we are mongrels and damn proud of it, of our mixed heritage. And our-- our heritage went to Germany and they defied-- defeated Hitler and his Aryan Nation. And we defeated Japan and their pride of genetics when they

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

looked down at the Chinese and the Koreans. I stand by my words. And Senator Slama, I did nothing wrong and I'm not going to apologize. This is hypocritical. This is mean-spirited. This, Senator Hansen, is being broadcast across the state and they're seeing who you are. All three of those words have meaning in my world and they are not bad words. I admired the Mongols as I studied them as a student. They were a nation that conquered half the earth-- no derogatory term when I use that word of those people of that part of the world. Mongrel is a common term used amongst us, as we all left Europe and other parts of the country, Africa and everywhere else. And we had the higher breeds, the higher gentry who had the blue bloods. We came here and we mingled and we mixed. And love overcame race, love overcame nationalities, and they intermarried. And I am the offspring of a German and an Irish heritage. I am a mongrel. Grow your skin thicker, sir, and develop and debate. You ran your own filibuster yesterday on your personal feelings. Senator Flood and I laughed it off. He knew what I meant. But if you want to personally attack me like Senator Chambers did because of my diction and I mispronounce my words with my thick German-Irish tongue, you go right ahead. Despicable, attacking another senator over a mispronounced word-- mispronounced word. And tell me, sir, is it true, Nebra-- the national-- the World and News Report rates--

**HILGERS:** One minute.

**GROENE:** --Nebra-- Nebraska's law college 87th? That's the truth. I've stood here before and had to fight. Senator Chambers and others and lawyers. I won't-- I won't say Lathrop's ever done it, Flood's never done it, Cavanaugh has never done it. But throw in my face and other senators that we're not lawyers-- you're not lawyers. I heard innuendo yesterday about I teach constitutional law, I do this, I took studies. And that comment about Nebraska came from that, sir. You need some modesty. You need some modesty. Take part in a debate, but don't attack another senator because they mispronounced a word. That was a compliment. You want to call me a mongrel? You go right ahead. I take it as a compliment. You want to call me, that I have Mongol tendencies, which I'm exerting right now?

**HILGERS:** Time, Senator.

**GROENE:** Go ahead.

**HILGERS:** Thank you, Senator Groene. Senator Machaela Cavanaugh, you are recognized. OK. Mr. Clerk for a motion.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

**ASSISTANT CLERK:** Mr. President, Senator Matt Hansen would move to bracket the bill.

**HILGERS:** Senator Hansen, you are recognized to open on your motion.

**M. HANSEN:** Thank you, Mr. President. Wow, we got here faster than I thought. So you are all being passed out a screenshot where Senator Groene says the exact phrase: I think he's got mixed heritage, so that qualifies him as a Mongol and mongrel. This is not him mispronouncing mogul. This is something he has said, including right now. He just said: I don't-- I don't have any connotations with Mongol. And then he got up and talked about how he's being aggressive like a Mongol. That's like a quote from 30 seconds ago. And I'm not going to let Senator Groene stand up here and gaslight the body and take direct quotes from him and definitions of words we all know and lie and lie and lie on this microphone. This is disgusting behavior on his part that he is trying to project and gaslight and lie to this body that this exact thing he said-- this is a screenshot from NET-- this exact thing he said where, in case you had any doubt of whether or not he thought mongrel was a slur, he uses it as a slur in that conversation and clarifies that's what he means. Because he accused me of making up definitions, I have two pages from the Oxford English Dictionary that should be being passed out soon, that includes the definition of Mongol and mongrel. And those both include, hey, they're offensive when used in a context, including of a person of mixed descent and referenced to a person with Down syndrome because of the anti-Asian connections. If you want to argue Mongol is not racist, it's just ableist, I-- that's an argument we can have. Colleagues, Senator Groene is going to get up on this microphone and continue to lie and continue to gaslight and he is going to continue to try and shift the narrative. Every time he's called out for his behavior, it's because I misheard, it's because I'm making fun of his accent. No, it is because I have, word for word-- I saw the recording. I have the recording. It's-- it's-- I printed out you a screenshot of how-- of how he said it. He just right now used all of those words in the context that I am accusing him of using. I had some optimism today that Senator Groene would get up, would show his ability to-- I mean, if he was truly mistaken, if he truly just had some mispronunciations, a "sorry, I didn't mean that" could have covered everything up. But no, he doubled down and said this is words he uses back home. This is words he likes to use. Yes, Senator Groene, we know that. And this is not an attack on your character; this is a defense on the integrity of the body. This is a defense of the body because we are seeing the moods and the norms and the attitudes and the behavior of this body degrade and degrade and degrade. And I want the body to stand up and show a bit of

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

backbone and to say hey, at a minimum, we don't think you should be openly racist on the microphone, as happened yesterday, as happened today. Senator Groene is continuing to gaslight that he made fun of my education and somehow by responding that I did, in fact, have the education that he made fun of me for, that I was somehow putting him down. Again. He is the bully. He is flinging insults and he is trying to twist every sort of defense in rebuttal as me making fun of his language, me making fun of his education. No, I am not. I am quoting him, in appropriate context, for the offensive and racist things he said on this floor, on this microphone. And yes, Senator Groene, I'm aware we're on TV. That's why in part-- that's part of the reason I'm so upset. People watch this. People heard it. People contacted us and said oh, my God. Did Senator Groene really just use slurs on the floor of the Legislature? Why didn't somebody say something? And that is why I wanted to get up this morning. I apologize if I got more angry or emotional than I intended, but as Senator Groene points out, sometimes there's a time and a place for that in debate. And that is actually a privilege I have as a male senator, to raise my voice and not have people question my intelligence or my ability to advocate. So with that, I'm going to leave the motions up. I'm sure there's other people who wanted to speak. Other people have said they're willing to defend Senator Groene. By all means. I got my light on; I'll come back in a little bit. Thank you, Mr. President.

**HILGERS:** Thank you, Senator Hansen. Debate is now open on the motion to bracket. Senator Moser, you are recognized.

**MOSER:** Thank you, Mr. Speaker. Well, I graduated from the University of Nebraska and I had good experiences there and I have a good opinion of the University of Nebraska. I think the standards of behavior in the Legislature have been established over the last, I don't know, 45-- 40 years. And we've had comments that were intended to hurt and they hurt and people let those slip. And we had comments that were supposed to be funny and they weren't really funny, they-- they insulted some people. And everybody is upset-- or not everybody, but a number of senators are upset. As senators, legislators, we have freedom of speech. We spent a whole day the other day talking about giving children in high schools freedom of speech, guaranteeing their freedom of speech. Yet in this Legislature, we're attacking a fellow member because of what they said. And there have been things said in the last week, ten days, that made me mad, but I just considered the source, that the source was-- was venting some displeasure over something and I-- I let it go. And I think that's how it should be addressed. You know, let the citizens of Senator Groene's district address their concerns with him if they have those. He isn't elected

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

to represent Lincoln or Omaha or, you know, any other district but his own. And there's no mechanism to remove a senator from office for what they say on the floor of the Legislature. And, you know, there have been times I've been insulted; I let it slip. That's what I'd encourage everybody to do, is-- is lick your wounds and move on. Thank you.

**WILLIAMS:** Thank you, Senator Moser. Senator Erdman, you're recognized.

**ERDMAN:** Thank you, Mr. President. Good morning. I think it's time to lighten up in here. So I have a question: Love it or list it? Anybody hear that? So what we have today is people's feelings are hurt by what someone said. We have the right to free speech here. And when Senator Chambers was here, he insulted many of us. I didn't see anyone stand up and tell him that he can't talk negatively about the police or whatever he talked about. That was his prerogative. And it's Senator Groene's prerogative or Senator Hansen's prerogative to do whatever he wants and say whatever he wants. But here is the rub. It is our decision. It's our personal decision how we let it affect us. And I think Senator Moser-- I think Senator Moser rightfully-- rightfully said that. So choose to be offended or choose not to be offended, that is your choice. Senator Groene has his opinion. I understand that and that's exactly what it is, his opinion. If you don't like it, just don't accept it, don't agree with it, and move on. If I got concerned, if I was concerned about everything somebody said about me or wrote about me or if I brought into this floor of the Legislature and showed you the things that some people put in their underground newspapers about me, you would be offended by just looking at it. I have chose to do exactly what Senator Moser has chosen to do. I consider the source and I move on. And so if your feelings were hurt yesterday by what Senator Groene said about the university, so be it. That's your fault. You were offended by it. You can choose not to be offended and that's exactly what we need to do. So we'll continue this discussion, looks like, for another hour or so, and that's just fine with me. But we all have opinions and we're all allowed to share those and we're all allowed to make a decision whether we're offended or not. Thank you.

**WILLIAMS:** Thank you. Senator Erdman. Senator Groene, you're recognized.

**GROENE:** Thank you, Speaker. This, as I said, is-- I'm not taking it personally. I know politics. I've got a whole bunch of nasty, hateful emails. I'm thinking about sharing them with you, the rest of you, from-- I think it's from that Betsy-- Betsy's Riot group, all white females who are experts on racism. I think anybody in this body that's served with me knows I'm not even close to racist. Where I come from,

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

we don't care. We don't care. I had people with Hispanic backgrounds support me. I've had people of the LBGQ [SIC] in my community support me. I won big last time. Do you know what we all have in common, a lot of us out there? We don't care as long as you work. We wear blue jeans to work. And you know what we call ourselves, and the one thing that they will get mad if you insult them? We are Americans. We are Americans. We are a mixing pot of Irish, Germans, Blacks, Africans, Ethiopians. I don't like that term "Black." There's heritage here from Ethiopia, South Africa. And we came here. I don't like colors. Whatever reason we came here, a lot did not want to come, but they're here and their offspring is here. And we have mixed. And we laugh out there. I will ask folks and we'll talk. Especially on days like Saint Pat's Day, on Columbus Day, people talk about their heritage. And I've heard a lot of-- lot of highly educated people, when I say what-- you know, I'm very proud of my German-Irish heritage and I'm half and half. My mother was strong Irish. I mean, that's why I talk about being Irish. McNally was the name. My Grandpa was a Democrat county commissioner. My father was a strong, strong conservative. We melded together in the Bohemian Alps, we called it-- in northeast Nebraska. And I'll ask them what's your heritage? And they'll laugh and say well, I know, I'm a mongrel 'cause I've got some French, I got some Irish in me, I got some German, got some African-American in me. And they say it proudly because what they are telling me, they're Americans. They're Americans. This bluebonnet attitude that everything's a racist remark? I will continue to be Mike Groene. I will continue to represent everybody in my district and the state of Nebraska who don't fit into this judgmental crowd, this watch-your-words crowd, because, really, they might be latent racists themselves and they watch their words close. They don't want that out. I am not a racist. Senator Chambers told me I wasn't. He just told me I was crude, took it as a compliment. And you know what Senator Chambers told me? He used to pick on me. He said You're too dang smart, Groene. You represent what your cause is too well. I have to take you on. So I'm not going to start talking about how I work with this people or that person. I work with people and we laugh and we tell-- rib each other. That's America. Because Senator Hansen continues to-- and continues for seven years to lose debates to me, he's angry. And I don't have that law degree and that's really frustrating, but that's personal.

**WILLIAMS:** One minute.

**GROENE:** Nebraska, are you watching? Are you watching the latent racism, the attacks on you who wear blue jeans to work and you have a mixed European heritage or mixed African and a European heritage,

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

'cause you can't be proud of what you are or where you came from? And remember, at the end of the day, folks, it's only our flesh. And if you worship the creation and all you worry about is the flesh, you got a problem. You better start looking at your neighbor's soul, not worry how tall they are or how heavy they are. You ought to believe the unbelievable attacks about my weight from this radical group, Betsy's Riot, and attacks on my diction and attacks-- and they are the guardians-- they are the guardians of the American language. So you go right ahead. Keep it up, Senator Hansen. I'm getting more and more votes. I might even run for Governor. I'll put you as my campaign manager.

**WILLIAMS:** Time, Senator. Thank you, Senator Groene. Senator Machaela Cavanaugh, you're recognized.

**M. CAVANAUGH:** Thank you, Mr. President. Last year, we had, as a nation, sort of a-- a wound that's always existed and it was just spliced open and-- and gashed and it was racial. And it started-- I mean, it started a long, long time ago, but it really came to a head with the death of-- murder of Mr. Floyd. And so-- so there was a lot of talk about racial justice and the importance of racial justice and having these really important conversations around racial justice. So I'm very grateful to our colleague, Senator Matt Hansen, for not letting a racial slur go unchecked. And it's not about personalities or feelings in this body. It's about-- we represent-- we are the leadership in this state and we represent our constituents. And it's not appropriate to use racial slurs, even if half of the body or more is comfortable with those slurs and doesn't find them offensive. That doesn't mean that they're OK. That doesn't mean that they're not offensive. And you don't understand First Amendment speech if you think that hate speech is protected and that hurtful speech is protected. It's not. You can be sued. You shouldn't be using racial slurs on the floor of the Legislature, even if you're comfortable with somebody using one against you. It's just not appropriate. And you also shouldn't be invoking the name of a former colleague as an argument as to why it's OK to use racial slurs on the floor of the Legislature. It's-- it's just never appropriate to use racial slurs on the floor of the Legislature and I hope that we can acknowledge that, hold that in our hearts, and move forward. But if we're going to argue that it is OK, then we're going to have a problem, and we do have a problem. Racial justice is a problem that we need to confront. And we should not tolerate hate and we should not tolerate racial slurs. And I would really appreciate it if the men in this body would stop telling all of us how we're supposed to feel about the terrible things that you say and the hurtful actions that you have. Mongrel is

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

offensive. Just because you're not offended doesn't mean it's not offensive. There are other racial slurs that I can't even bring myself to say in my own head. When I think about the N-word, I actually in my head say "the N-word" because I can't say it, because it is that offensive to me. And if somebody used that word on this floor, that would be a tragedy. And using this word that Mr.-- Senator Groene used yesterday, in my view, is a tragedy. And I don't think that it's something that we should be fighting about. In order to heal, you need to acknowledge a mistake, own a mistake, and move forward, not argue that your mistake isn't hurtful. It is hurtful. You are being told that it is hurtful. I am hurt by your mistake. Others are hurt by your mistake. Arguing that I shouldn't be hurt does nothing to move this body forward.

**WILLIAMS:** One minute.

**M. CAVANAUGH:** Thank you. I yield the remainder of my time.

**WILLIAMS:** Thank you, Senator Machaela Cavanaugh. Senator Flood, you're recognized.

**FLOOD:** Thank you, Mr. President. Members, I was walking up the stairs, having an appointment, and I heard some of the talk about this, so I wasn't here for the beginning. Senator Groene and I have bantered back and forth since I got here and more so off the mike. And I know in the context of his words yesterday-- and I knew immediately when he said it what he was trying to say. And ironically, in this whole discussion, he was, in my opinion, trying to compliment me in his own way. And I took it as such at the time because he was-- he was saying media mogul, which I have the debt of a mogul and so I figured I might as well be a mogul. And as somebody who comes in from the radio business, I know when I started in the business, I could never say Congregational Church when I was reading the funerals, always said Congressional Church. And there are some words out there that you interchange those letters. One of the things that-- that I think about when I think about Senator Groene is he respects characters because he is a character. He is-- he's somebody that, on this floor, in the tradition of Senator Chambers, during the course of a filibuster, fills his time with anecdotes and stories. And I-- I have not worked with him as much as the rest of you have. And I'm not excusing his or anybody else's behavior or even commenting on it. But I think yesterday, from what I heard, I heard somebody that was trying to have a little fun with me, as I've tried to have with him. I remind him often that he does his best work at the Lincoln Country Club under the chandelier with shrimp cocktail and-- and the shrimp cocktail sauce. And it's almost like a scene out of the Blues Brothers with him and

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

Elwood at the nice, fine dining restaurant. But those are the things that we talk about. I know what he was doing yesterday and I'm not-- I'm not in any way diminishing or disres-- wanting to disrespect the views of other senators, but I do think it's important to say that he meant to say mogul. And I think that it's Friday, we've got some final reading to do here. And I'm-- I'm looking forward to the end of the week and a good weekend with everybody in Norfolk. And so I thought it was important to say that. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Flood. Senator Matt Hansen, you're recognized.

**M. HANSEN:** Thank you, Mr. President. I want to be crystal clear. I am not poking Senator Groene for mispronouncing the word mogul. Had he just pronounce-- pronounced the word mogul, I wouldn't have even noticed. I am standing up because he used mongrel and clarified specifically that he meant a person of mixed race. And then clar-- used the word Mongol and clarified he meant a very aggressive person. And then when I brought it up today, rather than-- rather than dispute the fact that he uses those terms and uses those terms in context, he has said them repeatedly and clarified exactly what he means. He has admitted that he and his friends back home use racial slurs for each other and they don't mind it. I mean, like-- like don't tell me that I misheard. Don't tell me that he's not using them in context. He keeps getting up on the microphone and going line by line, word for word, on exactly how he means this in a way that has historical and cultural significance. This isn't a word salad. This isn't-- I don't know. I have those too. I can't spell judgment correctly on the first try-- the first time and I still can't. Don't know-- right-- right now I can tell you it has an "e" or it doesn't have an "e." These are human mistakes. Mispronouncing mogul, I get. Saying you like to be called a mongrel and you like to call other peoples that is bizarre and offensive. And just because one person who receives the insult doesn't mind, just because one person who receives the insult or gives the insult doesn't mind, doesn't mean there aren't a huge number of people watching who aren't deeply offended and deeply impacted. And that is what I'm trying to focus here. Yes, we have some friendly banter. Yes, we have some things going around. I don't mind that. I honestly-- Senator Groene indicated that this is a sore loser thing. I will tell you that it's not. I will tell you that it's not because many of you, when you've beaten me on this floor, have gotten a congratulations and a handshake from me. One of my biggest flops was filibustering a Senator Ebke bill. And I was laughing with her as the 33rd cloture vote came up and I shook her hand and told her congratulations. It's not that. And so Senator Groene keeps confirming exactly what I'm

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

saying about him and then accusing me of random things to try and deflect the blame away from himself because apparently-- and apparently this body, or at least nobody on-- very few of this body are not going to have any problem with him just repeatedly insulting people, repeatedly insulting people and repeatedly using slurs and other words that I think you shouldn't be using-- I think a lot of people think you shouldn't be using. And yes, elections have consequences. Senator Groene gets to be here the full eight years I get to be here because we both won in landslides twice. I get that. And the people of my district want me to stand up against him just as much as the people in his district apparently want him to stand up against me. And I get that. What I was hoping is that there would be some people in some other districts who might be even moderately offended by the behavior. You know, one of the things that's ironic-- and I'm going to talk about free speech now because we're switching over to that. Free speech includes criticism for your speech. Senator Groene has the free speech to say whatever he wants, just as I have the same free speech to get up and criticize him for it. And me exercising my free speech does not infringe on his free speech. You know what does infringe on your free speech?

**WILLIAMS:** One minute.

**M. HANSEN:** The government coming in and cracking down. The government tear-gassing protesters infringes upon free speech. Me calling him out for using racist terms does not infringe on his free speech 'cause he got to get up on the microphone twice. He'll do it more, I have no doubt. And on TV-- you're on TV defending yourself and you're accusing some sort of cancel culture, some sort of censorship. This is the exact opposite of that. You can talk as much as you like, as long as you like, within our rules. You get livestreamed. People-- the reporters are going to write a story. This is as far away from censorship as possible. This is about we, as representatives of the state of Nebraska, drawing a line on openly being racist. And so far we are not. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Matt Hansen. Senator Morfeld, you're recognized.

**MORFELD:** Thank you, Mr. President. Colleagues, I'll make this fairly brief. I doubt anybody will appreciate the distinction, given the debate that we had yesterday, and how people, quite frankly, either didn't read my bill or didn't care to understand the bill and were just opposing it for other reasons. But in any case, I want to make clear that the right to free speech is important, but that does not make you free from the consequences and the criticism that come from

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

it. My bill wasn't about just being able to say whatever you want with impunity. My bill was about giving people the right to say it in the first place. My bill was about giving people the right to say it in the first place, in a government-sponsored, government-funded forum. And people can color over how they voted on my bill however they want yesterday. Some people came up and said oh, I know your bill doesn't do anything that the opposition says is going to be doing, but it's just too toxic or whatever-- blah, blah, blah-- come up with a million different reasons and a million different excuses for why you didn't support the bill. And then there were some people that just opposed and just made stuff up most of the time and then read off case law, not even understanding exactly what they were reading off or how that the case law that they were reading was actually supporting my bill, which is ironic in a whole nother way. But the bottom line is, is that what my bill was about was making it so people could have the right to say something in the first place. My bill was never about saying something and then not having any consequences for saying it. That's why, each time I got up on my bill, I said this is a bill about giving people the right of free speech and the right to understand the power and the consequences of the First Amendment-- the power and the consequences of the First Amendment. There are consequences when you say things that are controversial. There are consequences when you say things that are racist. There are consequences when you say things that are offensive. And I'll defend your right to say those things, but I won't defend your right to get up on the floor and talk about how you shouldn't be criticized for them. So colleagues, I wanted to make that point and I wanted to make it clear. Criticizing something-- somebody for saying something that is offensive is not censorship. It's democracy, it's debate, it's free flow of ideas. That's what my bill yesterday did, was ensure that young people have the ability to say the things that are on their minds, the ability to do it in a way that is respectful, that follows ethical standards, but to also make it so that those students could understand the consequences of it. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Morfeld. Senator Machaela Cavanaugh, you're recognized.

**M. CAVANAUGH:** Thank you, Mr. President. So this use of a racial slur is something that is-- and the acceptance by the body of such terminology is racial mic-- microaggressions. And microaggressions are these things that are either intentional or unintentional, but happen every day and have become so systematized that we don't really react to them anymore. And-- and using a slur is a-- is definitely something that we should be reacting to. And I am grateful to our colleague,

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

Senator Matt Hansen, for bringing this up because I know that there are those that watch at home of all different kinds of backgrounds. And it is important for them to hear their-- their leaders stand up and-- and say that things are not acceptable when they're not acceptable. And with that, I would yield the remainder of my time to Senator Matt Hansen.

**WILLIAMS:** Senator Matt Hansen, you're yielded 4:00.

**M. HANSEN:** Thank you, Mr. President. And good morning, colleagues. I'm going to go for-- I just have a few more things I'm going to go put in the record, but I'm not taking this to cloture and I'm not going to stop us from at least getting the Final Reading today. Just occasionally things happen and we as a body deserve an opportunity-- nay, the state of Nebraska and the people we represent deserve to hear pushback against this. One thing-- and I know I've used the term a little bit-- that I wanted to talk about and I feel is-- been used a few times is, I've been used the term "gaslighting." And the term "gaslighting" is a specific type of lying where you make people doubt their own senses and they make people doubt-- or your intent is to make people doubt things they are seeing or are hearing. So it is not lying about where you were last night and they weren't there, they don't know if you're lying or not. It is about something that happened directly in front of them that they saw, that they heard, and you're accusing them of not-- of it being different. You're accusing them of mishearing, you're accusing them of misremembering. It is intended-- it is a classic abuse technique. And I think it deserves kind of some note and some focus because, unfortunately, we see it all often on this floor. I quoted Senator Groene in context. He accused me of misreporting him or misquoting him. This happened yesterday too. This happened, I think, the day before, every time I've stood up against him this week. And by the way, every time I've stood up with him this week, there's always been-- I respond to something very directly he said, trying to either quote it or paraphrase it in context. And then there'll be some sort of twist; no, I didn't say that, I didn't mean that. I've never heard the definition of that really common word before. That is a type of gaslighting. That is something that I think it's important for people to realize and recognize is a type of lying that is very tied and very specific and is very common in abuse and in bullying behavior, which unfortunately we see here on the microphone. And unfortunately, our constituents, the people of Nebraska and the people outside of Nebraska-- because I know we've got some viewers in other states too, probably other countries-- get to see. So I wanted to be very clear. That's something we routinely have to deal with. If you notice, I passed out-- Senator Groene disputed the dictionary

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

definition of a word that we all know the dictionary definition of. And if you notice, I passed out the dictionary definition and I prepared that yesterday because I was so assured that he was going to dispute my basic understanding of the English language.

**WILLIAMS:** One minute.

**M. HANSEN:** I think there's even a timestamp on the bottom that says yesterday's date from when I printed it off online. That is how this-- sure I was that Senator Groene was going to dispute my basic understanding of the words he said. I passed out the screenshot and I prepared that yesterday too because I was so assured that Senator Groene was going to dispute me quoting him accurately. This is problematic behavior on its own. This is problematic behavior on its own. So with that, I'm about out of time, I presume, so I will yield. Thank you, Mr. President.

**WILLIAMS:** Thank you, Senator Hansen and Senator Machaela Cavanaugh. Senator Hansen, you're recognized. Would you like to use this for your close on the bracket motion?

**M. HANSEN:** Do I have one more time?

**WILLIAMS:** Yes.

**M. HANSEN:** I'll use that, then I'll close. Thank you, Mr. President. Senator Groene, earlier also-- you note what I asked the body to do was to take a line against being openly racist. That was what my request for the body was this morning. I wanted a stand and a pushback against openly hostile racist behavior that happened on the floor that I quoted directly and I quoted accurately. I did not call for Senator Groene's resignation. I did not call for his expulsion. I called for people to stand up for their own integrity and for the people of their districts. That's what I wanted and that's what I had hoped would happen here today. I'm appreciative of the people who have stood up with me today. I'm appreciative that we have some senators who couldn't be here today who have texted support. I'm appreciative of other aspects, but I am, overall, disappointed in the level of the body. I just have to say I'm disappointed, including-- I just have to say I'm disappointed, including that-- including that we've gone circles and circles in terms of he didn't say it, so-- hey, there we go-- this is the final point I want to make, I think. So there's a classic kind of cycle, where you see it in abusive and bullying behavior, where you go from, when called out on an inappropriate action, you start off with no, I didn't do it. And then if proven, he-- that you did do it, it goes from no, I didn't do it, to well--

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

well, if I did it, I didn't mean it. Well if I did it and I did mean it, you deserved it. And we see that here today. Senator Groene started off with a flat denial that he said these words in the first place. And then by the end of it, he was upset that I was criticizing it, criticizing him for using a word he uses all of the time. We went through that evolution of contradiction throughout the whole speech today. And that is the difficulty we are having in standing up to this abusive and bullying behavior, this racist behavior, in the sense that it's so hard to just even get a foothold to be able to discuss it and be able to be even taken seriously. Several other senators have stood up and acted like it's just me being over-offended or me being oversensitive. These comments were not directed at me. They were actually-- in fact, as it's been pointed out, directed at another senator in jest. The comments I'm offended about, the comments I'm offended about were not about me. And I actually didn't hear them live. I heard another senator rebut them and went out and found the recording and confirmed it because if I was going to make an allegation like this, I wanted to know I was coming from a place of accuracy. And that's what we see is that behavior of-- of-- that behavior of it's fine to use openly hostile, openly racist things on the floor over the microphone because we said them in good humor, because we say them all the time. This is the normalization of prejudice that is-- exists a lot of places. I was hopeful that it didn't necessarily exist in this body to--

**WILLIAMS:** One minute.

**M. HANSEN:** --the extent-- thank you, Mr. President-- hope it didn't exist in this body to the extent that it, in fact, does, but unfortunately, it is. Colleagues, I remain disappointed in the body. I don't think we stood up enough to Senator Groene. I remain disappointed that apparently some people went around and asked people to turn off their lights. I understand we have important business to get through, but this is a conversation that is more important than us adjourning at noon after getting through Final Reading. I don't necessarily want to be a thorn. I don't necessarily want to intentionally gum up the wheels. I'm not planning on doing some of the other tactics and maneuvers to-- to force you to listen or force you to attend because a lot of my comments today have been directed to the public. I am disappointed that we as a body apparently are just not going to come together to condemn pretty contemptuous behavior. And I hope the state of Nebraska, the people of Nebraska, hold us accountable over this weekend.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

**WILLIAMS:** Time, Senator. Thank you, Senator Matt Hansen. Senator Hansen, you're recognized to close on your bracket motion.

**M. HANSEN:** Thank you, Mr. President. I believe I've said what I needed to say so I will withdraw both my motion and my floor amendment and we can get back to business. Thank you, Mr. [INAUDIBLE].

**WILLIAMS:** The bracket motion and the floor amendment are both withdrawn. Seeing no one in the queue, Senator McKinney, for a motion.

**McKINNEY:** Mr. President, I move that LB664A be advanced to E&R for engrossing.

**WILLIAMS:** Members, you've heard the motion. All those in favor say aye. Opposed say nay. LB664 [SIC LB664A] is advanced. Mr. Clerk.

**ASSISTANT CLERK:** Mr. President, the next item. Committee report from the Nebraska Retirement Systems Committee concerning certain gubernatorial appointments to the Public Employees Retirement Board. Pamela E. Lancaster will be the first.

**WILLIAMS:** Senator Kolterman, as Chairman of the Retirement Committee, you are recognized to open on the confirmation report.

**KOLTERMAN:** Thank you, Mr. President. Good morning, colleagues. We had-- we had our confirmation hearings on two individuals, Pam Lancaster and Judge Thomas Zimmerman. I'll take Pam Lancaster first. The Nebraska Retirement System Committee held a confirmation hearing on April 8, 2021, for Pam Lancaster, who's been reappointed by the Governor to serve county plan members on the Nebraska Public Employees Retirement Board. This would be her second five-year term. Ms. Lancaster is from Grand Island and graduated from the University of Nebraska-Kearney with a B.A. in education. She has extensive public service, which includes service on the Hall County Board of Supervisors, serving as chair and vice chair for more than half the time since elected in 1996. For 22 years, she continued to serve as Chief Elected Officials Board and has served as chair of the Greater Nebraska Workforce Employment [SIC] Board for a majority of her 22 years of service. In 2010, she served as president of the Nebraska Association of County Officials. She has also served on the National Association of County Officials, where she was chair of the veterans committee and a member of the economic and workforce development committee. Her extensive service on behalf of counties will continue to make her a valuable member of the Nebraska Public Employees Retirement Board, which oversees all the state retirement plans. The Retirement Committee unanimously voted to move Pamela Lancaster,

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

appointee, to the Legislature for confirmation. I ask for your support in confirming this appointment to the Public Employees Retirement Board.

**HILGERS:** Thank you, Senator Kolterman. Debate is now open on the adoption of the committee reports. Seeing no one in the queue, Senator Kolterman, you're recognized to close. Senator Kolterman waives closing. The question before the body is the adoption of the committee report from the Retirement Committee. All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

**ASSISTANT CLERK:** 37 ayes, 0 nays, Mr. President.

**HILGERS:** The committee report is adopted. Mr. Clerk.

**ASSISTANT CLERK:** Mr. President, the next committee report from the Nebraska Retirement Systems Committee concerning a gubernatorial appointment to the Public Employees Retirement Board, Thomas Zimmerman.

**HILGERS:** Senator Kolterman, you are recognized to open on the adoption of the committee report.

**KOLTERMAN:** Thank you. And again, the Nebraska Retirement System Committee held a confirmation hearing on April 8, 2021, for Judge Thomas Zimmerman, who's been appointed by the Governor to serve members of the Judges Retirement System on the Nebraska Public Employees Retirement Board. This is his first appointment to the PERB. The term is a five-year term. Judge Zimmerman received a bachelor of science from UNL in 1985 and earned his juris doctorate from UNL College of Law in 1989. He was a practicing attorney from 1990 until 2015 and was appointed judge of the County Court Third Judicial District in Lancaster County in 2015, where he continues to serve. From 2000 to 2012, he was licensed in the Series 6 and 66 with the Securities and Exchange Commission and in Life and Health Insurance with the Nebraska Department of Insurance. He served on the Lincoln Bar Association Board of Directors in 2007 and 2008 and has served as a Lincoln Bar Association Law Day volunteer and as a volunteer judge for the Nebraska State Mock Trial. In addition, he provides community service for multiple organizations, including serving in various capacities with Matt Talbot Kitchen and Outreach since 2004. His background will make him a valuable member of the Nebraska Public Employees Retirement Board, which oversees all the state retirement plans. The Retirement Committee unanimously voted to move Judge Zimmerman's appointment to the Legislature for confirmation. I ask for

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

your support in confirming this appointment to the Public Employees Retirement Board.

**HILGERS:** Thank you, Senator Kolterman. Debate is now open on the adoption of the Retirement Committee report. Seeing no one in the queue, Senator Kolterman, you are recognized to close. Senator Kolterman waives closing. The question before the body is the adoption of the confirmation report from the Retirement Committee. All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

**ASSISTANT CLERK:** 36 ayes, 0 nays on the adoption of the confirmation report.

**HILGERS:** The confirmation report is adopted. Members, we're about to start Final Reading. Please come-- return to your desks. Mr. Clerk, the first vote is to-- is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. This vote takes 30 votes. Please record, Mr. Clerk.

**ASSISTANT CLERK:** 34 ayes, 3 nays to dispense with the at-large reading.

**HILGERS:** The at-large reading is dispensed with. Mr. Clerk, please read the title.

**ASSISTANT CLERK:** [Read Title of LB83].

**HILGERS:** All provisions of law relative to procedure having been complied with, the question is, shall LB83e pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Please record, Mr. Clerk.

**ASSISTANT CLERK:** Voting aye: Senators Aguilar, Albrecht, Arch, Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting no: none. Not voting: Senators Blood, Day, Halloran, Hunt, Lowe, and Stinner. The vote is 43 ayes, 0 nays, 6 excused and not voting.

**HILGERS:** LB83e passes with the emergency clause attached. We will now proceed to LB92.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

**ASSISTANT CLERK:** [Read LB92 on Final Reading].

**HILGERS:** All provisions of law relative to procedure having been complied with, the question is, shall LB92 pass? All those in favor vote aye; all those opposed vote nay. Please record, Mr. Clerk.

**ASSISTANT CLERK:** Voting aye: Senators Aguilar, Abrecht, Arch, Bostelman-- Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Not-- voting no: none. Not voting: Senators Blood, Day, Halloran, Hunt, Lowe, Stinner. The vote is 43 ayes, 0 nays, 6 excused and not voting, Mr. President.

**HILGERS:** LB92 passes. We will now proceed to LB101e.

**ASSISTANT CLERK:** [Read LB101 on Final Reading].

**HILGERS:** All provisions of the law relative to procedure having been complied with, the question is, shall LB101e pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

**ASSISTANT CLERK:** Voting aye: Senators Aguilar, Albrecht, Arch, Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting no: none. Not voting: Senators Morfeld, Blood, Day, Halloran, Hunt, Lowe, and Stinner. Senator Morfeld voting yes. The vote is 43 ayes, 0 nays, 6 excused and not voting.

**HILGERS:** LB101e passes with the emergency clause attached. We will now proceed to LB197.

**ASSISTANT CLERK:** [Read LB197 on Final Reading].

**HILGERS:** All provisions of law relative to procedure having been complied with, the question is whether LB197 is-- whether it shall pass. All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

**ASSISTANT CLERK:** Voting aye: Senators Aguilar, Albrecht, Arch, Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Erdman, Flood, Friesen. Geist, Gragert, Groene, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting no: none. Not voting: Senators Blood, Day, Halloran, Hunt, Lowe, and Stinner. The vote is 43 ayes, 0 nays, 6 excused and not voting.

**HILGERS:** LB197 passes. We will now proceed to LB371.

**ASSISTANT CLERK:** [Read LB371 on Final Reading].

**HILGERS:** All provisions of law relative to procedure having been complied with, the question is, shall LB371 pass? All those in favor vote aye; all those opposed vote nay. Have all those voted-- all those voted who wish to? Please record, Mr. Clerk.

**ASSISTANT CLERK:** Voting aye: Senators Aguilar, Arch, Bostar, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, DeBoer, Dorn, Flood, Friesen, Gragert, Groene, Hansen, Hansen, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Vargas, Walz, Wayne, Williams, Wishart. Voting no: Senators Albrecht, Clements, Erdman, Geist, Hilgers, Sanders, Slama. Not voting: Senators Bostelman, Blood, Day, Halloran, Hunt, Lowe, Stinner. The vote is 35 ayes, 7 nays, 1 present and not voting, 6 excused and not voting.

**HILGERS:** LB371 passes. We will now proceed to LB390.

**ASSISTANT CLERK:** [Read LB390 on Final Reading].

**HILGERS:** All provisions of law relative to procedure having been complied with, the question is, shall LB390 pass? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

**ASSISTANT CLERK:** Voting aye: Senators Aguilar, Albrecht, Arch, Bostar, Bostelman, Brandt, Brewer, Briese, John Cavanaugh, Clements, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Ben Hansen, Hilgers, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting no, Senators Matt Hansen and Hilkemann. Not voting: Senators Machaela Cavanaugh, Blood, Day, Halloran, Hunt, Lowe, and Stinner. Vote is 40

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

eyes-- Senator Hilkemann not voting. Vote is 40 ayes, 1 nay, 2 present and not voting, 6 excused and not voting, Mr. President.

**HILGERS:** LB390 passes. We will now proceed to LB400.

**ASSISTANT CLERK:** [Read LB400 on Final Reading].

**HILGERS:** All provisions of law relative to procedure having been complied with, the question is, shall LB400 pass? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

**ASSISTANT CLERK:** Voting aye: Senators Aguilar, Albrecht, Arch, Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Vargas, Wayne, Williams, Wishart. Voting no, none. Not voting, Senators Linehan, Walz, Blood, Day, Halloran, Hunt, Lowe, and Stinner. Senator Linehan voting yes. Senator Walz voting yes. Vote is 43 ayes, 0 nays, 6 excused and not voting, Mr. President.

**HILGERS:** LB400 passes. We will now proceed to LB487.

**ASSISTANT CLERK:** [Read LB487 on Final Reading].

**HILGERS:** All provisions of law relative to procedure having been complied with, the question is, shall LB487 pass? All those in favor vote aye; all those opposed vote nay. Please record, Mr. Clerk.

**ASSISTANT CLERK:** Voting aye: Senators Aguilar, Albrecht, Arch, Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting no: none. Not voting: Senators Blood, Day, Halloran, Hunt, Lowe, and Stinner. Vote is 43 ayes, 0 nays, 6 excused and not voting, Mr. President.

**HILGERS:** LB487 passes. We will now proceed to LB503.

**ASSISTANT CLERK:** [Read LB503 on Final Reading].

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

**HILGERS:** All provisions of law relative to procedure having been complied with, the question is, shall LB503 pass? All those in favor vote aye; all those opposed vote nay. Please record, Mr. Clerk.

**ASSISTANT CLERK:** Voting aye: Senators Aguilar, Albrecht, Arch, Bostar, Bostelman, Brandt, Brewer, Briese, Cavanaugh, Cavanaugh, Clements, DeBoer, Dorn, Erdman, Flood, Friesen, Geist, Gragert, Groene, Hansen, Hansen, Hilgers, Hilkemann, Hughes, Kolterman, Lathrop, Lindstrom, Linehan, McCollister, McDonnell, McKinney, Morfeld, Moser, Murman, Pahls, Pansing Brooks, Sanders, Slama, Vargas, Walz, Wayne, Williams, Wishart. Voting no: none. Not voting: Senators Blood, Day, Halloran, Hunt, Lowe, Stinner. Vote is 43 ayes, 0 nays, 6 excused and not voting, Mr. President.

**HILGERS:** LB503 passes. While the legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following LBs: LB83e, LB92, LB101e, LB197, LB371, LB390, LB400, LB487, and LB503. Turning to the next item on the morning's agenda, Mr. Clerk.

**ASSISTANT CLERK:** Mr. President, General File. LB428, introduced by the Health and Human Services Committee. It's a bill for an act relating to youth rehabilitation treatment centers; changes provisions relating to educational programming; and repeals the original section. The bill was read for the first time on January 15 and referred to the Health Human Services Committee. That committee placed the bill on General File with committee amendments.

**HILGERS:** Senator Arch, you are recognized to open on LB428.

**ARCH:** Thank you, Mr. President. LB428 is the Health and Human Services Committee legislative package which, as introduced, includes five bills, all related to youth in the state's care and all introduced and advanced unanimously by the HHS Committee. LB428, which is the vehicle for this legislative package, is based on a recommendation of the YRTC Special Oversight Committee in its December 15, 2020, report. That recommendation was to clarify the state's responsibility for the education of youth in the state's facilities, including addressing special education needs, creating an education system for the youth housed within DHHS, and ensuring consistent funding and resources. This recommendation is unquestionably the most ambitious initiative to come out of the YRTC Special Oversight Committee and it won't be accomplished overnight or even in a single legislative session. In March of last year, DHHS entered into an interagency agreement with the Department of Education, which granted the Department of Ed administrative oversight over the YRTC education programs. This

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

agreement allows the Department of Ed to collaborate with DHHS to implement long-term plans regarding curricula, staffing, and student development within the YRTC educational system. LB428 provides guidance and legislative intent as the Department of Ed and DHHS work together to plan a path forward for the important education needs of youth in the YRTC system. First, LB428 clarifies that juveniles committed to the YRTCs are entitled to receive an appropriate education equivalent to educational opportunities offered within the regular settings of public school districts across the state. Additionally, under the statute as currently enacted, the educational credits awarded by the YRTC schools must be accepted by the juvenile's home school district. LB428 provides that the credits will be accepted by any public school district in the state of Nebraska. This clarification is appropriate, as many of the youth at the YRTCs may have a number of different placements, both before their commitment to a YRTC and after their discharge. Finally, LB428 clarifies that the YRTC schools shall maintain accreditation by the State Board of Education to provide an age-appropriate and developmentally appropriate education program. Accreditation by the Board of Education is not a new requirement for the YRTCs, but this cleans up what the Department of Education felt was an-- was an ambiguity in our statutes. The HHS Committee worked with the Department of Education to draft this bill, with the goal that the Department of Ed, DHHS, and the Oversight Committee this year will continue to work on the education programs at the YRTCs. And so I would anticipate that we'll see another bill next year regarding the education program. I urge your support of LB428. And if it's OK, Mr. President, I will go ahead and open on the committee amendment.

**HILGERS:** Senator Arch, as Chair of the HHS Committee, you are recognized to open on the committee amendments.

**ARCH:** LB428 has a committee amendment, AM566, which incorporates four other bills introduced by the HHS Committee. They are LB429, LB570, LB425, and LB427. LB429, the first bill. In Section 1 of the committee amendment is LB429. This section of the committee amendment would require DHHS to notify the Legislature 120 days prior to implementing any substantial changes to the facilities and programs of the YRTCs. I will be opening on an amendment in a few minutes to strike this section of the committee amendment. LB429 was a subject of an Attorney General's Opinion, at my request, which casts some uncertainty on exactly how such a notice requirement should be structured to respect the separation of powers clause within the Nebraska Constitution. Rather than infuse the whole committee package with this uncertainty, I've elected to continue working on LB429 as a separate bill. So I'll

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

appreciate your support for the amendment to strike this language when we get to AM943. LB570. The second bill incorporated by the committee amendment is LB570. LB570 requires the Legislature to complete an evaluation of the state's privatization of child welfare case management in the eastern service area by December 31, 2021, and authorizes the hiring of a private consultant to assist in completing the evaluation. We-- we have discussed this morning LR29, as well as the HHS Committee's work in the overseeing of Saint Francis Ministries, so I won't go into that. I would say this, though, that we have had numerous studies over-- over the last 10, 11 years. This specifically asks whether or not we should continue the privatization of the eastern service area and I believe that it's time for that decision to be made. This would require a completion of this-- of this study by the end of this year so we are prepared for January of next year. There is a fiscal note, \$50,000, which is associated with the cost of hiring a consultant to conduct the evaluation. I think the fiscal note is a modest amount when we consider the cost of case management services we're talking about and the importance of getting our child welfare system on the right track. LB425. LB425 is the third bill in the committee amendment and it also rises out of the recommendations of the YRTC Special Oversight Committee in its December 15, 2020, report. The first recommendation of the Special Oversight Committee was to fund a cost and needs assessment for an inpatient hospital or psychiatric residential treatment center to be housed within Lincoln Regional Center. Funding this assessment was a recommendation of the YRTC Special Oversight Committee. A common theme both the HHS Committee and the YRTC Special Oversight Committee have heard is that some of the youth being served at the YRTCs have serious mental health issues and the YRTCs are not equipped to handle a youth's severe mental illness. In some cases, due to the severity and aggression of the youth, private providers are not equipped to treat these cases either. DHHS has expressed a desire to utilize a continuum of services for the youth committed to its care, recognizing that the needs of these youth vary. However, it is difficult to create programming at the YRTCs that can address both behavioral problems of some youth and the serious mental health issues of others. This bill provides for DHHS to contract for the completion of the cost and needs assessment for an inpatient adolescent psychiatric unit within Lincoln Regional Center, and report those results to the HHS Committee on or before December 15, 2021. I will be introducing AM810 in a few minutes to change the completion date to December 1, 2021. This is a fis-- there is a fiscal note, \$125,000, associated with completing this study. However, this is a very important step in the process. And if you look at the department's five-year plan for the YRTCs, you'll see that one of the department's recommendations is to complete this

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

analysis. LB427 is the final bill included in the committee amendment and it is also based on a recommendation to come out of the YRTC Special Oversight Committee. That recommendation was to develop and enact language to clarify the Legislature's intention that there shall not be a waiting list for youth seeking certain treatment, including treatment for youth who sexually harm and youth who are chemically dependent. The chemical dependency and sex offender programs currently housed at the Whitehall campus in Lincoln are not part of the YRTCs, but rather are licensed residential psychiatric treatment facilities under the hospital at the Lincoln Regional Center. Youth committed to the YRTCs may be referred to these programs if the need is identified or youth may be sent directly to these programs by order of the Juvenile Court. The YRTC Special Oversight Committee felt, and the HHS Committee agreed, that it was important to clarify the Legislature's intent that there should not be a waiting list for this type of programming. While LB427 is simply intent language, it provides clear guidance to DHHS as they plan for the future of these important and necessary programs for youth in our state. In conclusion, I'll just reiterate that all the bills included in the committee amendment were introduced by the HHS Committee, were all advanced unanimously to General File. And I urge a green vote on the committee amendment and the underlying bill.

**HILGERS:** Thank you, Senator Arch, for your opening. Mr. Clerk, for a motion-- or an amendment.

**ASSISTANT CLERK:** Mr. President, Senator Arch would move to amend the committee amendments with AM810.

**HILGERS:** Senator Arch, you are recognized to open on AM810.

**ARCH:** Thank you. AM810 makes a simple change to the committee amendment. It relates to the cost and needs assessment for the inpatient adolescent psychiatric unit at the Lincoln Regional Center. In the committee amendment, the deadline for DHHS to have that study completed is December 15, 2021. AM810 would move that deadline up to Decem-- December 1, 2021, so that the results of that study can be included in the YRTC Special Oversight Committee's report, which will be due December 15, 2021. That's all AM810 does. So I appreciate your green vote on AM810.

**HILGERS:** Thank you for your opening, Senator Arch. Debate is now open on AM810. Senator Friesen, you are recognized.

**FRIESEN:** Thank you, Mr. President. Would Senator Arch yield to some questions?

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

**HILGERS:** Senator Arch, would you yield?

**ARCH:** Yes.

**FRIESEN:** So in-- in LB428, one of the comments that I read here is that it inserts new language in Section 83-102 to provide that juveniles committed to the YRTC is entitled to receive an appropriate education equivalent to educational opportunities offered within the regular settings of the public school districts across the state of Nebraska. Could you describe what kind of school that might look like?

**ARCH:** Yes. Yes. So, again, I think it's some clarifying language, not necessarily new, but-- but clarifying. The-- the-- the youth in the YRTCs-- well, first of all, the accreditation under the Department of Education is important and that-- and that provides a baseline that-- that we know that we're providing appropriate education for these youth. Youth in the-- youth in the YRTC program often obviously have some serious behavioral issues. And that is the-- that has been the primary focus over the years, that those behavioral issues be attended to. However, youth we see coming into the YRTC programs can at times be two years behind in their educational process. And that is as-- as a result of-- of running, as a result of not attending schools, as a result of being suspended from attending schools, a variety of issues, but they are behind in their educational process. We felt as though, and the Department of Education and DHHS agreed, that we need to increase that focus on-- on the educational experience of those youth, that it not be-- that it not be an afterthought because, of course, once they have successfully completed the YRTC program, they are put back into schools and we want to give them a much better chance of being successful when they go back to school.

**FRIESEN:** OK. So I guess when I'm-- when I'm thinking of school districts across the state, I'm thinking, are they-- do they have to have swimming pools?

**ARCH:** Oh, I see what you mean. No, we're talking about-- we're talking about that baseline accreditation of the school, that their-- that the coursework and-- and the teachers, and all of that falls into line with that.

**FRIESEN:** OK. I-- I thought we were comparing it to what a school district might look across the state and the opportunities available in some of the school districts. And thank you for answering that question. And my point is I guess we have-- we also have schools that have, you know, 165 different courses people can choose from. And we have schools out there that have or offer 60 different courses. We

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

have schools out there that have Astroturf on their football fields and swimming programs and flight simulators. And we have others who just provide that basic education, I think, that you're looking for. And so I guess, when I-- when you use language like that, I'm wondering which school we're going to model their education after. Thank you, Senator Arch. And thank you, Mr. President.

**HILGERS:** Thank you Senator Arch and Senator Friesen. Senator Lathrop, you are recognized.

**LATHROP:** Thank you, Mr. President. Colleagues, good morning. I support LB428. I support AM566 and AM510. I might have-- I'm going to talk again when the next amendment is up, which strips out part of the Health Committee's amendment. But for now, I want to talk about the bill. One of the things that's in this bill, as Senator Arch said in his introduction, is doing a study to see if we can utilize part of the Lincoln Regional Center for the adolescents' psychiatric facility. What we-- what we realized as we did this work, those who have been involved in these topics appreciate that the state needs an option for a no-eject, no-reject psychiatric facility. We do not have that option available to us now. And that-- that led to juvenile court judges, over the last couple of years, to actually commit a couple of youth to the Regional Center. Because they weren't equipped to handle it, they had to open up an entire ward-- or tie up an entire ward if I'm using the right term-- just to accommodate a young person so that they're not mixed up with adults. This is a really important piece. It's a really important study that will be commissioned as a consequence of passing LB428. We really need that for the young people so that we do have truly a continuum of care that includes a no-eject, no-reject facility. There are a number of different aspects, a number of bills that are included in LB428 through the committee amendment that do carry out a number of the recommendations of the YRTC Special Investigative Committee, which I also appreciate. And for that reason, I would encourage your support. AM810 just moves the date by two weeks, so that's not a big deal. I would encourage your support of AM810 and then AM566. I'll hit my light when we get to the next amendment as I have concerns with that. And with that, thank you, colleagues.

**HILGERS:** Thank you, Senator Lathrop. Senator Vargas, you are recognized.

**VARGAS:** Thank you very much, President. I rise in support of AM428 [SIC], the Health Committee amendment. And I do want to thank the committee for working on this. And I support AM566-- sorry, LB428, AM566, and the underlying AM810. There's an amendment coming up and

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

we're going to talk on it, but I wanted to start the conversation because I think it's important for giving a little bit of context as to this. There are many things in the underlying bill and AM566 which are important. I think the subject matter and the high level-- high level of the subject matter is that we're focusing on receiving appropriate education equivalent and educational opportunities offered in public schools. AM566 has a very important set of language in Section 1 and I did-- I didn't get to touch base with Senator Arch around this. There was-- I was messaging back and forth with him. And the section in this, which we'll have a conversation today, says the following, basically. At least 120 days prior to implementing any substantial changes to the facilities or programs under OJS, YRTC that you have to notify the Legislature of any of these substantial changes and submit it electronically. This is a very important piece of-- well, my opinion of this specific bill-- it's an important piece to all the work that's been done from the previous Chair-- Chairwoman and to the current Chairman. It is because when we first entered into this issue with YRTC, a lot of the issues we were facing had to do with changes being made reactively and us not fully understanding. Transparency was very important and notification. And I think this is a very reasonable, pragmatic component of this bill and necessary for long-term health, especially in the age of term limits and especially when we have seen what happens when we don't have-- we don't have the knowledge. This also isn't micromanaging or it doesn't impede the ability for the Department of Health and Human Services, or specifically OJS, to make any changes necessary. It just says that you have to notify us. And we'll have a bit of a dialogue on this, but I do urge your support of LB428, obviously, AM566 in particular, because it has this language which I believe is fundamentally important for the continued-- not oversight and not management-- for the continued knowledge that we should have in case something does change. Either contracting with a new facility or a private facility, closing down a YRTC, substantially changing programs, that notification provides us with the power that's necessary for us to make informed decisions, especially since we're not a year-round Legislature. So colleagues, I know we'll talk about this a little bit more. And I know Senator Arch is going to talk about this on the mike, but I do believe this is one of the most critical components of this-- this amendment. And I urge you to pass LB-- LB428, AM566. And in a removal later, an amendment is going to come up. I urge you to not vote on that, but we'll talk about it and we'll have that debate. Thank you.

**HILGERS:** Thank you, Senator Vargas. Senator Groene, you are recognized.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

**GROENE:** Thank you, Mr. President. I'm going to ask Senator Arch a question. I was reading in the committee statement. It says-- Section 2 would require the Legislature-- Legislature to complete an evaluation of the state's privatization and child welfare case management services in the eastern service area by December 31, 2021. The bill would authorize the Legislature to hire a consultant to assist the completing of the evaluation. I couldn't find an amendment, but the-- your committee counsel pointed out all it was, was a change of a date. I guess my question to you, Senator Arch-- why did we need LR29 in the first place if this was already in place?

**HILGERS:** Senator Arch, would--

**GROENE:** And I'm assuming this is what the discussion this morning was, by the Speaker-- was-- was playing-- was playing into this because I was looking at the Rule Book and I was trying to figure out how we were going to-- you were-- committee was going to do a study without an LR, by the assignment or what-- what the definition of an LR is and what committee assignments are. So I guess the simple question is this the authority we're using now to-- for what the Speaker's announcement this morning?

**HILGERS:** Senator Arch, would you yield?

**ARCH:** Thank you for the question. No. Actually, we're dealing with two different questions. The-- the LR, the-- and the committee that we talked about this morning is-- is really taking a look at, I say, the past. It's taking a look at the contract process, what-- what went on, Saint Francis' involvement, DHHS's involvement, with-- with the desire to, in the future, should we do contracting of that nature or contracting in general, how can we improve that process? And-- and-- and-- and how can we solve some of the issues that were raised?

**GROENE:** Excuse me, but what-- which-- what does this imply, then, in Section 2?

**ARCH:** OK, this was-- this is LB570. This is the question really not-- not specific to the Saint Francis contract. This is a broader question. This is the question of we have-- we have been under a pilot project for approximately the last ten years regarding case management privatized in Douglas and Sarpy County, the eastern service area. This question is asking should we continue that process? We have had several of those studies. The last one, I believe, was '13, '14-- somewhere in that-- in that area-- that-- that Hornby Zeller, an outside consulting firm--

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Floor Debate April 15, 2021

**GROENE:** So excuse me,--

**ARCH:** --completed. Yes.

**GROENE:** --'cause I only have five minutes.

**ARCH:** Yep, sorry.

**GROENE:** So what you're saying, the LR29-- is-- is that a evaluation and a-- I guess let's go back to your-- you said your LR. Is-- are you coming up with an LR for the authority to what you're going to do in committee or is this just something you're taking on yourself so there's no requirement of reports or anything? But the way I read the Rule Book, there should be an LR to direct the committee to do this work.

**ARCH:** This is-- this is an LB introduced by the committee. This is LB570.

**GROENE:** No, I'm talking about-- excuse me-- the announcement this morning,--

**ARCH:** Oh.

**GROENE:** --because you answered me that what you're doing is not under this authority. So what authority are you doing that-- what was spoken of by the Speaker this morning, the study you're going to do on contract with Saint Francis?

**ARCH:** Right, the jump-starting of the LR? Yeah, that-- that is-- that is under the authority of the committee itself. We have authority, we have DHHS, we have all of those matters. And we go back to that Legislator's Guide. It identifies those are the bills that are referenced to us. That is our-- that's our authority.

**GROENE:** So there's going to be a new LR assigning you this or are you playing off the LR29 that had a whole different group of individuals studying it?

**ARCH:** It-- it is not a new LR. It is jump-starting that process.

**HILGERS:** One minute.

**ARCH:** And so-- and so the-- so the-- the-- the authority for the same reason, in January, when the department came to us and briefed us on the eastern service area, there was no LR required for them to brief us on that, on those matters.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

**GROENE:** So I got only a minute. So the purpose then will be to come up with a better process of-- of managing the private-- how we handle the private contracts? Or is the purpose to point a finger at the executive branch to say you did all these things wrong?

**ARCH:** The purpose is to examine the process to-- to ensure that we have a good process in place going-- going forward.

**GROENE:** Thank you, Senator Arch. That's what I wanted to hear.

**HILGERS:** Thank you, Senator Arch and Senator Groene. Seeing no one else in the queue, Senator Arch, you are recognized to close on AM810.

**ARCH:** Thank you, Mr. Speaker. Just a refresher on AM810. We are simply changing the date from December 1-- or it should say from December 15 to December 1, that we can include this in the Oversight Committee of the YRTC's, this study. Thank you.

**HILGERS:** Thank you for your closing, Senator Arch. The question before the body is the adoption of AM810. All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

**ASSISTANT CLERK:** 33 ayes, 0 nays, on the adoption of the amendment.

**HILGERS:** AM810 is adopted. Mr. Clerk for an amendment.

**ASSISTANT CLERK:** Mr. President, Senator Arch would move to amend with AM943.

**HILGERS:** Senator Arch, you are recognized to open on AM943.

**ARCH:** Thank you, colleagues. This is the amendment that Senator Lathrop, Senator Vargas have referenced and I've had numerous questions. First thing I need to do is apologize. I-- when I decided to do this, I sent out an email to the HHS Committee-- my oversight that I did not send that out to the YRTC Oversight Committee, as well and I apologize for that. But let me-- let me explain as best I can here. As I mentioned in my opening on the committee amendment, Section 1 of the committee amendment incorporated an amendment version of LB429, which would have required DHHS to notify the Legislature 120 days prior to implementing any substantial changes to the facilities and programs of the YRTC's. Excuse me. AM943 strikes this section of the committee amendment so the committee can continue to work on LB429, in light of the Attorney General's Opinion on the matter. As introduced, LB429 would have prohibited-- this is the original

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

language-- would have prohibited DHHS from implementing any substantial changes to YRTC facilities and programs until the conclusion of the earliest regular session in which there has been a reasonable opportunity for legislative consideration of such proposed changes. The Governor's Office expressed concern that this provision may violate the separation of powers clause in the Nebraska Constitution. In light of these concerns, my office requested and received an AG's Opinion, which you all should be able to access on your computers. In summary, the AG's Opinion concluded that there was a serious question as to the constitutionality of prohibiting the agency from acting without opportunity for legislative consideration. However, while the AG's Opinion indicated that a prohibition on agency action without legislative consideration was constitutionally suspect, it is my reading of the Opinion that a reasonable delay to agency action rather than a prohibition likely averts the constitutional issue. Accordingly, the amended language of LB429, which was included in the committee amendment, simply required DHHS to provide the Legislature with at least 120 days of notice prior to implementing the kind of big-picture, substantial changes defined in the bill and explicitly provided an exception for emergency situations. That said, because of the uncertainty raised by the AG's Opinion and continuing feedback that I have received from administration, I have introduced AM943 to strike the provisions of LB429 from the committee package with the goal of continuing to work on that bill separately. So this is-- this is a stand-alone bill. LB429 was introduced as a stand-alone bill. So my intention here is that we would strike this language from this package, get this package passed, pass LB429 out of committee, get it out-- out of-- out of the committee, and continue the work so that we can raise this again in January. That was my intention and my-- my process, in my mind. AM943 simply strikes Section 1, renumbers and harmonizes the remaining provisions in the committee amendment. So I would appreciate your green vote on AM943. Thank you.

**HILGERS:** Thank you, Senator Arch, for your opening. Debate is now open on AM943. Senator Pansing Brooks, you are recognized.

**PANSING BROOKS:** Thank you. I would-- I would like to ask some questions to Senator Arch, if I might.

**HILGERS:** Senator Arch, would you yield?

**ARCH:** Yes.

**PANSING BROOKS:** And Senator Arch, I appreciate your apology for not letting the members of the YRTC Committee know, 'cause I had no idea about this until, all of a sudden, it came up. And so we are currently

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

scrambling. Do you have a copy of whatever the Attorney General has said?

**ARCH:** I do.

**PANSING BROOKS:** OK. Could you please pass that out to people?

**ARCH:** Sure. A page could come and-- and make copies, please?

**PANSING BROOKS:** That would be helpful. And then what I really don't understand is in Section 1, it says that there's at least 120-- 120 days prior to implementing any substantial changes. It goes on to 2(b)(i), the establishment of a new YRTC, and Section 3 talks about the establishment of a YRTC at another state operator private facility. I don't even get this. We are paying for and we hold the purse strings for any kinds of these facilities, any major changes. It's the same thing going on with Corrections and the major prisons. So I don't understand why the AG's Office is making some sort of statement as if we don't hold the purse strings, we cannot provide oversight. And this really scares me. And I really feel like this is a huge mistake after all the work that we've done over the past year or so could you speak about that, Senator Arch?

**ARCH:** Yes. Yes, thank you. The-- the AG's Opinion did not address that specific enumeration of sub-- what-- what are substantial changes, but rather, I think as you read the AG Opinion, it has-- it has to do with preventing the Legislature from going forward until-- until there's a certain time. So then we changed the language.

**PANSING BROOKS:** Excuse me, going forward on what-- until there's a certain time for what?

**ARCH:** It's-- it's that-- well, and again, I don't-- I handed back my copy, but-- but the-- but the Opinion was-- was to-- when we had language that said you cannot, you cannot proceed until what we had was end of session, end of next session-- you cannot proceed. So we changed it to notice, we changed it to 120-day notice and identifying what those substantial changes are and still concerns. And so the AG Opinion doesn't address the language that you see in front of you. The AG Opinion addressed the previous language, which was you cannot change.

**PANSING BROOKS:** OK. So-- but if it's not affecting the current language-- because I don't see anything that says you cannot proceed. It just asked for notice. So I really do not understand why-- why we can't be given notice because it's going to deal with our funding and

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

our ability to fund YRTC's, whether it's a new one, whether it's an addition, whether it's the current one, whether we're changing facilities around. I-- I think the Legislature deserves and requires notice. So do you have-- don't you agree that the Legislature requires notice?

**ARCH:** I-- I do not disagree because that's why I said that I'm bringing LB429. We're going to-- we-- I'm assuming the committee will agree and we will pass that out of committee and it will be back on General File as a stand-alone-- as a stand-alone issue to deal with this issue of separation of powers. And if that's the-- if that's the desire of the Legislature, then that-- that LB429 will pass.

**PANSING BROOKS:** OK. And has an official Opinion of the AG been drafted or was it just a letter of some recommendation? I still haven't seen it.

**ARCH:** That's--

**HILGERS:** One minute.

**ARCH:** It-- what-- excuse me, just a second. I'm told it's an official Opinion.

**PANSING BROOKS:** OK. Thank you. Well, I-- I am-- I'm really concerned about this. We've done a lot of work. Senator Arch has led a-- led the committee well. We need to respond quickly to some of the issues that we know have been going on at the YRTCs, things that were happening where kids were being moved without our notice. That's completely why we set up all of these committees and task force-- forces because the executive branch was acting in a manner without knowledge, without any kind of notice. And to now, all of a sudden, say OK, well, we're going to back off for another year and maybe bring a bill that the-- that the department may or may not agree to, I-- I cannot stand in support of that after all of the work that Senator Arch has done and that the committee has done,--

**HILGERS:** Time, Senator.

**PANSING BROOKS:** --both the YRTC Committee and the HHS. Thank you, Mr. President.

**HILGERS:** Thank you, Senator Pansing Brooks and Senator Arch. Senator Lathrop, you are recognized.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

**LATHROP:** Thank you, Mr. President and colleagues. I am opposed to AM4-- pardon me-- AM943. I want to take you back. I'll talk about the Attorney General's Opinion, but before I do that, let me take you on a-- on a walk through what this committee observed and what we've been through over the last couple of years. So we go out to Geneva and find it in a complete shambles. They quit providing any form of therapy, treatment. The girls were simply locked into the dorms. They were getting limited schooling. The place was physically damaged. And without consulting anyone, HHS closed the place and moved the girls to Kearney. We had no-- no say in it. We had established a girls YRTC in Geneva and they took the girls to Kearney. Then while that's all percolating and we have boys and girls out there, they opened, without talking to the Legislature, a place in Lincoln, a former detention facility. Then while we're working through all of that, they decided to open a girls facility in Hastings. Now this body has plenty of reason to be concerned because the steps that HHS has taken with the YRTCs have been erratic-- erratic. And they have done these things without consulting former Chair of HHS, Senator Howard, or Senator Arch, to my knowledge. And so these things are happening and one of the reasons this was a recommendation now turned bill, now turned amendment to LB428 is we need this-- we need to know what they're going to do before they do it because these are substantive changes. It's not whether we're going to change what kind of book to teach English out of, right? They aren't small changes. They're about opening and closing different facilities. And so Senator Arch, apparently at the request of the executive branch, asked for an AG's Opinion. I've read it. It concludes there are serious concerns. I got to tell you, we shouldn't stop what we're doing because somebody says there's a serious concern because that sort of lawyer vagueness, you know, it's not really mean anything. We ought to go ahead. We ought to go ahead. If there's a constitutional problem, we'll get to it. But the Attorney General could have been stronger or would have been stronger if we can't do this. A serious concern? Eh. You know, lawyers say that to clients all the time. I got a serious concern because you don't want to be wrong. Maybe you'll end up wrong so you say I got a serious concern. This should not stop the Legislature from doing what it feels like needs to be done because of the history over the last two years with the YRTCs. We need to know before they open another facility or close another facility or do any more of that stuff because those are policy decisions. Whether we have a YRTC in Geneva is a policy decision. Whether we have one in Hastings, whether we have one in Kearney, or whether we have one in Lincoln or whether--

**HILGERS:** One minute.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

**LATHROP:** --they decide, over the next year, to open one in Omaha, those are policy decisions this body needs to be involved in. And the requirements found in Section 1 that AM490-- AM943 would strike are very important recommendations by that committee that I served on, as did Senator Howard. Colleagues, if there needs to be changes, we can work on it between General and Select, but I-- my suggestion is we vote down AM943, take the committee amendment as we found it with the change that we made just a moment ago to a date. And if HHS or the Attorney General want to weigh in on the way to do it in a way that makes them a little more comfortable but accomplishes the same objective, we can do that. But please, please, don't support--

**HILGERS:** Time, Senator.

**LATHROP:** --AM943. Thank you.

**HILGERS:** Thank you, Senator Lathrop. Senator Vargas, you are recognized.

**VARGAS:** Thank you very much. First of all, I do want to commend. This is-- this is a long process. I know we have some new members of the committee and if you haven't read the YRTC report-- I know many of you have-- it is a really good read. So much work went into it from that committee and Chairwoman Howard. And I-- and I don't need to belabor the point. Senator Lathrop made great points on the history here. And I do also want to commend Senator Arch-- Chairman Arch for two reasons. One, he's been taking up this helm, but two, I've also served with him. I served as Vice Chair of the YRTC Oversight Committee this last year. And part of our intention was to start to move towards a place where we're simply getting information, and where we're really allowing the agency to manage and do the course correcting and they have. So this is a, you know, a bit of a shout-out to-- to OJS and DHHS for the work that they've done because I think it is the right thing that they've done. They've really tried to implement a five-year strategic plan. They've implemented performance metrics. They've-- they've tried to make sure that they're trying to get higher quality individuals, better behavioral and mental health programming. And if you haven't been to the Lincoln YRTC, you should go. It is going to really open your eyes and it's going to demonstrate that there is positives going on. The crux is not whether or not we're questioning the efficacy of those decision-making. The crux is whether or not we're informed. The 120 days that is currently in AM566 is critical for ensuring that we have the knowledge we need to make the best decisions. When we are talking about Department of Corrections, when we're talking about Game and Parks, when we're talking about any other many agencies we're dealing with, information provides us with the

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

ability to make decisions. And since this no longer impedes the ability for OJS to move forward on things that simply is notification, I think it's even more important that we don't take it out. AM943 would remove this, and I don't think it's the right decision for us to do. I also think it would make us take some steps back from AM566 and all of the work that we've collectively done for YRTCs. So very plainly, I think we have a real opportunity here and the opportunity is to make sure that we are moving away from the investi-- we're not doing even investigations. We're moving away from the oversight and information. Make sure that we both are providing the autonomy and the trust moving forward and not going down a place where we're doing sort of over-- overmanagement of-- of this agency or of this. YRTCs, as is clearly something that is improved, still needs us to have our-- our information we need to make the most informed decisions, but we can't do that without notification. We cannot do that. So I want you to remember with Geneva or with YRTC Lincoln, if we were not told in advance that YRTC Lincoln was going to be created or substantial programming, new programming would have started at one of the YRTC sites or if we're contracting with a private facility, that information would not be provided to us in advance for us to be able to engage in a productive conversation with HHS and OJS. That's all that AM566, that Section 1 is doing. I think it's prudent, I think it is pragmatic, I think it's data driven, and it also provides the level of connection, autonomy with also some transparency. But removing it I don't think is the right thing to do. I do want to commend YRTC Oversight Committee and Chairman Arch on this. I think everything they've done so far is a step in the right direction. But removing this, I don't think is the best--

**HILGERS:** One minute.

**VARGAS:** --thing for us to do. It will undermine our ability to be informed and make the right decisions in the future. I ask that you, right now, vote against AM943. Vote for AM666 and the underlying bill, LB428. Thank you.

**HILGERS:** Thank you, Senator Vargas. Senator Brandt, you are recognized.

**BRANDT:** Thank you, Speaker Hilgers. Thank you, Senator Arch, for bringing this. I think people that have listened to this short debate so far have heard some of the concerns about this particular amendment. I am opposed to AM943, but I am for the other amendment and LB428, primarily because Geneva resides in the 32nd District. For 128 years, we ran some form of a YRTC facility. In 2016, they were ranked the best in the nation and by 2019, it had caved in. So if nothing

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

else, from a fiscal standpoint, I want to outline a few things here. Geneva was allocated 85 jobs for 72 beds. Now we're going to move this YRTC girls facility to Hastings. And the last count that I saw, they're going to have 84 jobs for 24 beds. So DHHS will effectively increase the cost of running that YRTC by a factor of three. Back when we had the problem in Geneva, in an emergency situation, they moved the girls to Kearney. Subsequent to that, we invested about \$120,000 for some temporary classrooms 'cause we had the girls at Kearney. Also, we leased space here at the Lincoln youth facility for \$500,000 a year to lease a wing for three years. There was no oversight by the Legislature on any of this. In addition, DHHS spent about a half million dollars to hire a consulting firm out of Missouri to tell them how to run a YRTC. In addition to this, in 2017, the Legislature approved \$5 million to build a juvenile rehabilitation facility for boys on drug rehabilitation in Hastings. That was all set for the boys to move into and all of a sudden, now those boys got moved to Whitehall here in Lincoln at a cost-- I do not know what that cost is. And we're going to make that Hastings facility into a girls YRTC and we're going to have to spend-- I've-- I've heard a figure of \$250,000-plus to harden the facility. So just based on this track record, DHHS requires legislative oversight, if for nothing else, for the fiscal component of it. And therefore I would urge you to vote against AM943 and for LB566 and for LB428. I would yield the rest of my time to Senator Arch.

**HILGERS:** Senator Arch, 1:54.

**ARCH:** Thank you, Mr. Speaker. This has been a very good debate, very good discussion. And in light of this discussion, I am going to pull AM943 and-- and-- and not consider that. And-- and we will be having discussions between General File and Select File with administration, with the AG Office, with senators in the room that want to participate in that. It obviously has-- has raised some issues on separation of powers. And so I request that AM943 be removed. Thank you.

**HILGERS:** Without objection, the amendment is withdrawn. Continuing debate on the committee amendments. Seeing no one in the queue, Senator Arch, you are recognized to close.

**ARCH:** Thank you. Thank you, as well, for the support for the work of the YRTC Oversight Committee and the-- and the HHS Committee. It is interesting. Senator Wayne this morning mentioned the-- who owns this in the end? We had a YRTC Special Oversight Committee, the HHS Committee. Bills are sitting in front of us here. Good question. I think we all do. And the debate has been healthy and good on these bills. We-- we've made progress this year with the YRTCs. The

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Floor Debate April 15, 2021

department has-- has made progress. We on the committee have made progress. We still have some more work to do. There will be a YRTC Oversight Committee work this-- this summer. And I'm sure in January we will see some additional initiatives that we'll-- that we'll be considering so that we can keep improving the care of these youth. With that, I would-- I would ask for your green vote on AM566 and then the underlying bill, LB428, as well. Thank you.

**HILGERS:** Thank you, Senator Arch. The question before the body is the adoption of the committee amendments, AM566. All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

**ASSISTANT CLERK:** 35 ayes, 0 nays on the adoption of the committee amendments.

**HILGERS:** The committee amendments are adopted. Turning to debate on LB428. Seeing no one in the queue, Senator Arch, you are recognized to close.

**ARCH:** Thank you again. I'd simply say LB428 and thank you for all the hard work of all the members of this as we improve these-- these services. Thank you,

**HILGERS:** Thank you, Senator Arch. The question before the body is the advancement of LB428 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Please record, Mr. Clerk.

**ASSISTANT CLERK:** 34 ayes, 0 nays on the motion to advance the bill, Mr. President.

**HILGERS:** LB428 is advanced. Mr. Clerk for items.

**ASSISTANT CLERK:** Thank you, Mr. President. I do have items. Your Committee Enrollment and Review reports LB9, LB152, LB500, and LB583, all placed on Final Reading. The bills that were read on Final Reading this morning have been presented to the Governor at 11:10 a.m. (Re LB83, LB92, LB101, LB197, LB371, LB390, LB400, LB487, LB503) Amendment to be printed: Senator McKinney to LB156. Name adds: Senator Wayne to LB147, Senator Aguilar to LB236, Senator Gragert to LB236, and Senator Gragert also to LB406. And finally, a priority motion. Senator Morfeld would move to adjourn until Tuesday, April 20, 2021, at 10:00 a.m.

**HILGERS:** Colleagues, you've heard the motion. All those in favor say aye. Opposed say nay. We are adjourned.